

## MILPERSMAN 1640-040

### DESIGNATION OF PLACES FOR CONFINEMENT

<b>Responsible Office</b>	NAVPERSCOM (PERS-00D)	Phone:	DSN	882-4444
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<b>References</b>	(a) SECNAVINST 1640.9C (b) Uniform Code of Military Justice (UCMJ)
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1. **Facilities for Officer and Enlisted.** The below table is provided as a guide when determining what type of confinement facility to use:

WHEN member is confined	THEN use	UNLESS
for pretrial confinement	<p>the nearest applicable Department of Defense (DoD) pretrial, level I, level II confinement facility (See MILPERSMAN 1640-030)</p> <p><b>NOTE:</b> Females will only be confined in facilities authorized to confine females.</p> <p><b>NOTE:</b> For Service members assigned to ships, the afloat brig may be used until Service member can be transferred to an ashore confinement facility.</p>	<p>not available, then use of a civilian confinement facility may be authorized (see reference (a), article 7104.4 and MILPERSMAN 1640-030).</p> <p><b>NOTE:</b> Prisoners in a civilian facility will receive initial review, health and comfort issue, and other necessities as required by the governing directive.</p>

WHEN member is confined	THEN use	UNLESS
<p>serving an adjusted sentence (court-ordered sentence minus projected credits for administrative and or judicial credit, good conduct time, etc.) of 30 days or less, on bread and water, or diminished rations</p>	<p>the ship's brig, for Service members assigned to ships, or the nearest applicable DoD ashore confinement facility per MILPERSMAN 1640-030</p> <p><b>NOTE:</b> Females will only be confined in facilities authorized to confine females.</p> <p><b>NOTE:</b> In case of <b>officer</b> confinements, the officer's command and the initial confinement facility will notify Navy Personnel Command, (NAVPERSCOM), Office of Corrections and Programs (PERS-00D) for designation of place of confinement.</p> <p><b>NOTE:</b> Though convening authorities (CA) may initially designate place of confinement, NAVPERSCOM (PERS-00D) may subsequently designate place of confinement, where necessary, to manage the overall Navy Corrections Program.</p>	<p>not available, then use of a civilian confinement facility may be authorized (see reference (a), article 7104.4).</p> <p><b>NOTE:</b> Prisoners in a civilian facility will receive initial review, health and comfort issue, and other necessities as required by the governing directive.</p>

WHEN member is confined	THEN use	UNLESS
<p>serving an adjusted sentence of 31 days or more</p>	<p>initially use the ship's brig, for Service members assigned to ships, or nearest applicable DoD pretrial confinement facility, Level I, Level II confinement facility</p> <p><b>NOTE:</b> The initial confinement facility will arrange further transfer to an ultimate facility, if required.</p> <p><b>NOTE:</b> Though convening authorities may initially designate place of confinement, NAVPERSCOM (PERS-00D) may subsequently designate place of confinement, where necessary, to manage the overall Navy corrections program.</p>	<p>not available, then use of a civilian confinement facility may be authorized (see reference (a), article 7104.4 and MILPERSMAN 1640-030).</p> <p><b>NOTE:</b> Prisoners in a civilian facility will receive initial review, health and comfort issue, and other necessities as required by the governing directive.</p>
<p>to serve 5 or more years</p>	<p>the post-trial confinement facility designated by NAVPERSCOM (PERS-00D). Movement to a level III facility will be coordinated by PERS-00D.</p>	

2. **Request for Designation or Redesignation of Place for Confinement.** Use the proper letter format containing the following for requesting designation of a place for confinement.

From: (Commanding Officer)  
To: Navy Personnel Command (PERS-00D)

Subj: REQUEST FOR DESIGNATION/REDESIGNATION OF PLACE OF  
CONFINEMENT ICO (FULL NAME, RANK OR RATE, COMPONENT,  
DESIGNATOR)

Ref: (a) MILPERSMAN 1640-040

1. Per reference (a), request designation and or redesignation of a place for confinement.

2. The following information is provided:

a. Type court and or date of court:

b. UCMJ article(s) of which found guilty:

c. Sentence:

(1) Confinement length: (Years/Months/Days)

(2) Forfeiture of Pay:

(3) Discharge and or dismissal: (YES/NO)

(4) Type of discharge:

(5) Pretrial agreement: (YES/NO)  
(If yes, provide details.)

3. If confined, current place of confinement:

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Signature of Commanding Officer  
or By direction